

## ***City Council Meeting Minutes***

**May 17, 2016  
City Hall, Council Chambers  
749 Main Street  
7:00 PM**

**Call to Order** – Mayor Muckle called the meeting to order at 7:00 p.m.

**Roll Call** was taken and the following members were present:

**City Council:**      ***Mayor Muckle, Mayor Pro Tem Lipton, City Council members: Ashley Stolzmann, Dennis Maloney, Chris Leh, Susan Loo and Jay Keany***

**Staff Present:**      ***Malcolm Fleming, City Manager  
Heather Balser, Deputy City Manager  
Kevin Watson, Finance Director  
Aaron DeJong, Director of Economic Development  
Robert Zuccaro, Planning & Building Safety Director  
Joe Stevens, Parks and Recreation Director  
Scott Robinson, Planner II  
Carol Hanson, Acting City Clerk***

**Others Present:**      ***Sam Light, City Attorney***

### **PLEDGE OF ALLEGIANCE**

All rose for the pledge of allegiance.

### **APPROVAL OF AGENDA**

Mayor Muckle called for changes to the agenda and hearing none, moved to approve the agenda, seconded by Council member Stolzmann. All were in favor.

### **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

Bill Carlson, 916 Main Street, Louisville, CO gave an update on the Louisville Arts District Mural Project. He introduced members of the Arts District Board, Janet Russell, Nicole Charron and Julie Williams who were present. He noted Suzanne Janssen has been an extremely valuable link to the City. He talked about the history of the Art Walk

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#### ***City of Louisville***

***City Council      749 Main Street      Louisville CO 80027  
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and what led to the mission to beautify the City through art. Private fundraising efforts have led to an alley being named Via Artista and two murals being placed to provide beautification in the alley. The murals will be placed on the east wall of Bittersweet Café and west wall of Henry's Tavern. Artists have been selected and are coordinating their efforts for continuity.

Bill Cordell, 954 Walnut Ct., Louisville, CO asked the Council to consider asking voters to provide broadband services including fiber optic service to homes and businesses for high speed internet.

Anne Gallagher-West, a science teacher at Louisville Middle School (LMS) and three of her students urged Council to consider imposing a plastic bag tax. Ms. Gallagher-West noted LMS is a green star school; they team up with EcoCycle to promote the positive impacts of composting and recycling. She asked for Council's support for the green star program.

Mayor Muckle congratulated Ms. Gallagher-West and her students for being a green star school and thanked them for the presentation. He noted the Sustainability Board has the plastic bag tax in their action plan and Council will likely discuss it in the future.

### **APPROVAL OF THE CONSENT AGENDA**

Mayor Muckle called for changes to the consent agenda and hearing none, moved to approve the consent agenda, seconded by Council member Maloney. All were in favor.

- A. *Approval of the Bills***
- B. *Approval of Minutes: April 19, 2016; May 3, 2016***
- C. *Approval of Process to Replace Municipal Judge***
- D. *Approval of Intergovernmental Agreement with the Boulder County Clerk and Records Office for a 24-Hour Ballot Drop-Off Box***
- E. *Approve Cancellation of May 24, 2016 City Council Study Session***

### **COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA**

Mayor Muckle noted putting the broadband question on the ballot was on Council's list of things to discuss.

### **CITY MANAGER'S REPORT**

City Manager Fleming reported on the following:

A lot is being done to complete the construction in the downtown area.

The Friday night Art Walk has had a positive impact on Museum visits. He encouraged participation in the next Art Walk for the continuing museum presentation on Louisville's

Larder. Mayor Muckle added the Museum will have children's games during the Taste of Louisville.

## **REGULAR BUSINESS**

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### **RESOLUTION NO. 26, SERIES 2016 – A RESOLUTION OF THE LOUISVILLE CITY COUNCIL URGING THE REGIONAL TRANSPORTATION DISTRICT TO BUILD THE NORTHWEST RAIL LINE FROM WESTMINSTER TO LONGMONT**

Mayor Muckle noted at a past Council meeting, there were representatives from Longmont urging Council to pass a resolution encouraging RTD to finish the Northwest Rail Line. Staff was asked to come back with more information and have asked RTD to attend. He introduced Chuck Sisk, former Louisville Mayor and current RTD Board Director.

Mr. Sisk greeted Council and introduced RTD General Manager Dave Genova who updated Council on the FasTracks projects completed or funded by 2019. He noted there are still projects to be completed and funded. The commitment is to complete the proposed projects including the Northwest Rail Line as a longer term goal. He reviewed the sales tax paid in by communities and the RTD financial position.

Mayor Muckle asked about conversations in Longmont concerning starting the train during peak times only so as not have the need to double track the train.

Mr. Genova replied there had been conversation about such an operating plan. More discussion is scheduled with Longmont and Louisville staff to look at ideas for the service plan and whether a new plan would be possible.

Director Sisk noted a better relationship has been established with Burlington Northern Sante Fe (BNSF). Working together accomplishes more and headway is being made. Bus rapid transit was negotiated in addition to rail, not alternatively for FasTracks. Money is committed and all must do a better job of working together in making this happen.

Council member Stolzmann recognized the successes of RTD. She felt the Resolution affirms the partnership to get the rail line done sooner rather than later. She encouraged looking for funding opportunities and ways to finish Fastracks.

Council member Maloney agreed and said he supported the resolution. He asked about the cash flow chart where 2042 is noted as when there will be NW Rail and 2028 when funds might be available; is there a more specific timeline.

Mr. Genova noted RTD looks at those forecasts every year to determine design and construction timelines.

Council member Loo asked if the Boulder bound bus stop at McCaslin is going to be completed; there is what looks like a temporary fence. It seems the pedestrian sidewalk and bike lane are getting confused.

Henry Stobblecamp, RTD, noted they are aware of the situation. The fence is in place to keep pedestrians out of the bike lane.

Mayor Pro Tem Lipton thanked RTD for the great projects that have benefitted Louisville.

Mayor Muckle thanked RTD for stepping up and making the diverging diamond work with transit enhancements.

He felt the resolution encouraged all to stay engaged and be good partners as well as supporting the North Area Mobility Study (NAMS) in asking RTD to continue to evaluate the Northwest Rail Line.

Colorado Senator Matt Jones thanked Council member Loo for bringing up the fence issue at the bus stop, he had wondered about it, too. He noted the history of Fastracks, the votes gathered for it and what he saw as a deficit in spending on the northwest corridor. He wanted to remain aggressive in urging RTD to finish this rail line. Bus Rapid Transit (BRT) is great, other projects are great, but there is a need to continue to push and collaborate to get the rail line done. He suggested moving the completion date for the rail line in the resolution up from 2035 to 2026.

Michael Menaker, 1827 W. Choke Cherry Drive, Louisville, CO addressed RTD and suggested leaving the high occupancy lane on US 36 at HOV 2 instead of increasing to HOV 3 as a simple, low cost way to ease the traffic pain.

Debby Fahey, 1118 W. Enclave Circle, Louisville, CO agreed with Mr. Menaker concerning the HOV lane. She noted the increase in bus ridership with the Flatiron Flyer and felt the train would see the same result.

MOTION:

Council member Stolzmann moved to approve Resolution No. 26, Series 2016 amending the date of 2035 to 2026, seconded by Council member Maloney. All in favor.

Mayor Muckle thanked RTD and Senator Jones for attending. Mr. Sisk thanked Mayor Muckle for recently convening a Louisville luncheon for former mayors.

**UPDATE – RECREATION/SENIOR CENTER AND AQUATICS  
EXPANSION OPERATIONS AND MAINTENANCE AND  
DESIGN CONCEPTS**

Director of Parks and Recreation Stevens recognized there were members of the Task Force present and introduced Chris Kastelic with the consultant team Sink Combs Dethlefs (SCD). Mayor Muckle recognized the members of the Task Force and called for a presentation.

Chris Kastelic presented feedback from the open houses:

May 4, 2016 – 2 Open Houses held at Rec Center

- 10:30 a.m. to 12:00 p.m. (182 attendees)
- 6:00 p.m. to 7:30 p.m. (122 attendees)
- Approximately 100 people visited throughout the day
- 72 comment cards received
- Youngest respondent – 9 years old

Stations were specific to Program Space, with staff / consultants / task force members there to answer questions about the Plans

- Aquatics
- Fitness/Group Exercise
- Sports
- Seniors
- Youth
- Sustainability

Aquatics

- Love having different water temperatures – competition vs. lesson vs. leisure pools
- Make sure there is State of the art filtration & ventilation for all pool spaces
- Leisure pool
  - keep teens in mind (climbing wall, rope swing, basketball, etc.)
  - love the lazy river – water walking classes
  - slide – have one that parent and child can ride together
- Lesson/Fitness pool
  - more depth needed (6-7 ft.) for aqua exercise
  - more challenging classes (i.e., water aerobic boot camp)
  - massage waterfall features
- Love the doors to the Outdoor Deck – make doors to it expansive (indoor/outdoor feel)
- Competition pool
  - Swim team practice times should expand
  - Make diving CHSSA compliant (dive teams) or consider a new dive well
  - Swim teams would like more lap lanes in the competition pool (8 ideally)

Aquatics

- Outdoor adult-only hot tub
- Family friendly hot tub – lower temp, kid seating
- Steam/Sauna
  - sound: insulate steam room from racquetball
  - steam room with 2 levels of seating

- deck showers located outside steam/sauna area
- Love the Family Change space
  - add sinks in Family Change open area
- Expand existing wet lockers – more showers, more sinks
- Non-slip flooring throughout, also in lifeguard offices
- Outdoor waterpark at Rec Center– slides, zero-depth entry
- Memory Square
  - Unfortunate site is restricted so more can't be done
  - Remove fence around kid pool, eliminate age restriction

#### Fitness/Group Exercise

- Lots of windows around new fitness areas
- Like all the new cardio/circuit/weight areas
- Like all the new area for stretching/self-directed fitness/personal trainer areas
- Like fitness-only lockers
  - Need to be larger
  - Z-type locker, more locker space needed
  - Locate lockers in open fitness areas, not just locker rooms
- Barrier wall between free weights + stretching areas
- Consider acoustics for Group Exercise – yoga vs. zumba
- Need more restrooms on 2nd floor
- Add Olympic lifting area
- Add free weight classes
- Add kids gymnastics classes

#### Sports

- Indoor soccer/turf surface at new MAC (multi-activity) gym
- Make new MAC gym larger
- Provide separate walking and running tracks
- Badminton lessons/team play
- Keep an outdoor sand volleyball court

#### Seniors

- Consider accessibility of all ages throughout facility (0-99 years old)
- Coffee bar at Senior Lounge
- Locate fireplace in larger space – more can enjoy
- Game Room – add ping pong
- Provide separate walking and running tracks
- Would like a Silver Sneakers space on 1st floor
- Soundproof all rooms
- Resilient wood floors in existing large multipurpose rooms (dance)
- Site
  - More ADA parking needed, provided more than code minimum
  - Improved drop-off capacity/layout
- Maintain programs during construction

#### Youth

- Coffee bar in the lobby
- Like windows in classrooms
- Active activities for children / tweens - rope climb, climbing net, ball pit
- Like having bathrooms on 2nd level
- Keep outdoor playground
- Consider safety/noise if the playground relocated along Via Appia
- Memory Square – longer pool hours

#### Sustainability

- Solar thermal + P/V for entire center
- Natural/daylighting throughout center, including solar tubes
- Consider light pollution
- Consider porous paving for parking/hardscape areas
- LEED Platinum as the goal
- LED lighting
- Efficient lighting controls (occupancy sensors, etc.)
- HVAC “right-sizing”
- Windows – passive winter heat, reflective summer heat
- Non-toxic building materials
- Consider long-term investment
- No special parking for fuel-efficient/electric vehicles (old cars aren’t in the landfill)

#### COUNCIL COMMENTS

Council member Loo noted these were comments and feedback received from the public, not necessarily all things that will be done.

#### PRESENTATION CONTINUES

Chris Kastelic showed and described the floor plan with potential expansion and improvements of the current recreation center as well as at Memory Square.

#### COUNCIL COMMENTS

Mayor Pro Tem Lipton asked the outdoor/indoor pool expansion at the recreation center be explained. Mr. Kastelic described it as providing a large opening to a beautiful outdoor deck, which would be a gathering/destination space with views.

Mayor Pro Tem Lipton thanked the consulting team, the task force and staff. He noted the cost estimates are challenging and rising. \$25 million remains as the goal and of course, operations and maintenance costs are an important consideration.

Mayor Muckle asked if the Arts Center would still be attached to the pool house at Memory Square. The answer was it was still being determined with sensitivity to

historic value. Parks and Recreation Director Stevens noted the Historic Preservation Commission recently authorized a \$6,000 grant for an historic assessment. Mayor Muckle wanted to encourage benefit to the Arts Center if possible.

Mayor Muckle called for public comment and hearing none asked the presentation continue.

Chris Kastelic introduced Chris Dropinski with Green Play. She noted Green Play looks at operating and maintenance funding to find the right blend of affordability, public benefit and fee structures.

#### Operating Budget Assumptions

57,400 square feet – size of current facility

50,000 square feet – approximate size of expansion area

Current operating budget based on 2015 actuals

Includes Recreation/Senior Center and Memory Square Pool

Includes annual average of ongoing capital investment

Projections are conservative and further discussion is anticipated

Revenues assume modest fee increases to be incrementally adjusted annually

#### Market Conditions

Focus of anticipated use is on Louisville residents of all ages, and employees of businesses located in Louisville.

Nature of facility reflects family and intergenerational opportunity.

Citizen input for types of spaces and willingness to pay are considered in this analysis.

Demographic and programming trends are considered in this analysis.

Comparison data is challenging as Louisville's center of operation for recreation is based out of the center, similar to Erie, whereas some communities budget as stand-alone facilities.

Recommended fees represent an average comparison to facilities identified as offering a somewhat comparable building program.

A chart with proposed Fees was used to calculate what those fees would generate in revenue to offset some of the new expenses.

Staffing Salaries and wages are based on midpoint of 2016 Payplan plus 30% benefits calculation for FT staff. Additional salaried staff contemplated at this time included:

1.00 Supervisor I Fitness Coordinator

1.00 Supervisor I Senior Coordinator

1.00 Facility Maintenance Tech I

1.00 Pool maintenance Tech I

0.25 Facility Assistant

0.25 Accounting Tech I

Additional part-time/contractual staff is proposed in the following areas of operation:

Maintenance/Custodians

Fitness/Program Instructors



## Life Guards/Swim Instructors

### Ongoing Operating Capital (Capital Renovation Allocation)

Current average is \$125,000 annually; or approximately 5% of operating budget.

Projected estimate is based on 5% annually

3% for building and improvements

2% for machinery and equipment

### Operational Budget Current and Estimated Proposed Current Expansion

Combined Revenues Current \$1,888,830 Expansion \$330,880 Combined \$2,219,710

Expenditures Current \$2,615,009 Expansion \$803,475 Combined \$3,418,484

Net Current (\$726,179) Expansion (\$472,595) Combined (\$1,198,774)

% Cost Recovery Current 72% Expansion 41% Combined 65%

Ms. Dropinski noted these numbers are conservative and will continue to be refined to help to get to the numbers needed to take to the voters.

## COUNCIL QUESTIONS

Council member Maloney asked if the slide showing the operational budget included the capital. The answer was yes, it included the capital mentioned previously, the 5%.

Mayor Pro Tem Lipton noted the numbers are a work in progress and should be more concise as the Task Force gets closer with a finalized program. He said revenue and expenditures are likely both understated. He felt the Task Force was about 3 weeks away from better numbers which will be brought back to Council. The intent is to not have the cost recovery go below current levels.

Council member Stolzmann asked about the fees with the understanding this was a work in progress; and noted the city fiscal policy offering senior and children programs at a fee lower than the cost of providing services. She noted the financial policy and asked what the actual cost recovery would be with the adult rates.

Ms. Dropinski noted the cost recovery currently is 72% for the facility and the numbers would need to be more refined to determine full cost recovery.

Mayor Muckle called for public comment and hearing none asked for any other Council comments.

Council member Leh thanked the Task Force and consultants. At the Senior Advisory Board he asked about the process. The board reported they felt heard. He applauded the public input for this proposal.

Council member Maloney acknowledged the process and the short time frame. He thanked staff, Council members and the Task Force and felt it was a good model for the

way things could be done in the future. He encouraged looking at the rates very carefully.

Mayor Muckle asked for any Council objections to the process and hearing none, thanked everyone who has been working on this. He noted the sustainability piece is important to him.

**DISCUSSION/DIRECTION – REDEVELOPMENT PROPOSAL  
FOR 550 S. MCCASLIN BOULEVARD URBAN RENEWAL AREA**

Mayor Muckle called for a staff presentation.

Council took a five minute break at 8:45 p.m. Council reconvened at 8:52 p.m.

Economic Development Director DeJong noted staff is seeking direction on a redevelopment proposal at 550 McCaslin Blvd., the former Sam's Club property.

**550 McCaslin Urban Renewal Plan**

- Urban Renewal Plan approved Sept. 1, 2015 by Louisville City Council
  - The objectives for the Plan include:
    - Create a retail rich environment where area businesses and residents can be successful.
    - Re-tenant or redevelop the Property.
    - Increase retail activity by encouraging occupancy of the Property
  - Plan identified the following blight factors present:
    1. Faulty Lot Layout
    2. Deterioration of site or other improvements
    3. Defective or unusual conditions of title rendering the title non-marketable
    4. The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements

A Request for Proposals was issued:

- One Proposal Received
- From Seminole Land Holding, LLC and Centennial Valley Investments, LLC (CVI), the current owner of the property,
- Proposal is to construct a King Soopers Marketplace on the property.
- New Store of approx. 124,000 square feet.
- CVI's Proposal estimates gross sales totaling \$52,000,000 per year.
- Estimated construction costs are \$20,000,000.

- Construction process approximately 20 months.

1. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness

- How the Proposal addresses the blight factor:
  - Project necessitates a full redevelopment of the property.
  - Removes building and improvements with poor dimensions and design

2. Deterioration of site or other improvements

- How the Proposal addresses the blight factor:
  - Project necessitates a full redevelopment of the property.
  - New operation would be open 7 days a week and deteriorated elements would be replaced or fixed

3. Defective or unusual conditions of title rendering the title nonmarketable

- How the Proposal addresses the blight factor:
  - Proposal is contingent upon the City and LRC removing or disallowing the restrictive covenants on the Property

4. Existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements

- How the Proposal addresses the blight factor:
  - Proposal would fully utilize the Property.
  - Store would be used 7 days a week.

Louisville Revitalization Commission (LRC) on May 9, 2016 decided:

- The proposal meets the objectives of the Urban Renewal Plan and will serve to mitigate blight in the Plan Area.
- Recommends City Council authorize staff to negotiate a redevelopment agreement for the proposal.

Next step is to negotiate a Redevelopment Agreement

- Redevelopment project scope
- Structure of financial assistance
- Urban Renewal Actions
- Legal and transaction cost obligations
- Development plan submittal obligations
- Project timing
- Tenant commitments

Recommendation:

- Staff believes the Proposal:
  - Meets the objectives of the Urban Renewal Plan
  - Addresses the blight factors
- Seek direction to negotiate a development agreement for the Proposal

Action Requested:

- Direct Staff to begin negotiating a redevelopment agreement among the Parties for the 550 S. McCaslin Redevelopment proposal

COUNCIL COMMENT

Council member Stolzmann noted a petition from change.org where there was a mention of corporate welfare and misuse of taxpayer money. She asked Director DeJong to describe the Business Assistance Program (BAP). Director DeJong noted the program rebates sales tax on increased sales above a certain base. The program is about new sales/revenue to the community. City Manager Fleming noted the assumption is the new revenue would not be generated if the incentive were not provided with the Business Assistance Program.

PUBLIC COMMENT

Lynn Miller, Senior Real Estate Manager with Albertsons Companies Denver Division, 6900 S. Yosemite Street, Centennial, CO, spoke against moving forward with the redevelopment proposal. At the March LRC she noted Commission member comments were made about lack of communication from the site owners, lack of detail on the proposal received, use of financial assistance and concerns about the effect of another grocery store on the businesses in the area. She noted Albertsons had plans to remodel, but the plan was put on hold because of the Urban Renewal Plan. She expressed her concern over the process and the lack of any contact with Albertsons before a decision was made to bring the redevelopment proposal to Council.

Randy Caranci, 441 Elk Trail, Lafayette, CO noted he would like to see the Sam's Club building generating tax money, but stated he was against eminent domain. He noted the revitalization commission has more members than bylaws allow. In his opinion, the proposal received in response to the RFP was not complete.

Mayor Muckle called for more public comment and hearing none called for Council comment.

Mayor Muckle noted this is an interim step and if approved tonight, staff would be asking if the response to the RFP accomplishes the goal of eliminating the blight and if so, working to flesh out the proposal.

Council member Stolzmann recognized the worry over whether the current King Soopers would close. She had also heard concerns about having two grocery stores in the area but noted competition is often a good thing and provides consumers with choices. The proposal received addresses the objective of the urban renewal plan and negotiations should be done carefully to not cause detriment to the community.

Council member Keany noted there had been conversation stating this would hurt businesses in the area, however, one business in the area felt the renewal would be a reason for them to stay.

Council member Maloney noted this area is in an important retail corridor of the City. He acknowledged the comments received to the petition on change.org and suggested those be kept in mind during this process. He felt as negotiations go forward, all the property owners need to be treated as fairly and equitably as possible. The economic viability and prosperity of this area needs to be focused on. He supported moving ahead.

#### MOTION

Mayor Muckle moved that the City Council find and determine that the proposal submitted for redevelopment of the 550 S. McCaslin Urban Renewal Area meets the objectives of the Urban Renewal Plan and will serve to mitigate blight in the Plan Area and on that basis the City Council authorize staff to negotiate a development agreement for the proposal, with any such agreement to be returned to the City Council for its consideration at a later date. Mayor Pro Tem Lipton seconded the motion. All in favor.

**3rd AMENDMENT TO NORTH END GENERAL DEVELOPMENT PLAN (GDP) AND  
NORTH END MARKET FINAL PLAT AND PLANNED UNIT DEVELOPMENT (PUD) –  
SOUTH BOULDER ROAD AND BLUE STAR LANE  
(Applicant Requests to Vacate Public Hearing)**

**ORDINANCE NO. 1717, SERIES 2016 – AN ORDINANCE APPROVING AN  
AMENDMENT TO THE NORTH END GENERAL DEVELOPMENT PLAN (GDP) TO  
ALLOW 27 ADDITIONAL RESIDENTIAL UNITS AND REDUCE THE COMMERCIAL  
SPACE TO 40,000 SQUARE FEET – 2<sup>nd</sup> Reading – Public Hearing**

**RESOLUTION NO. 19, SERIES 2016 – A RESOLUTION APPROVING A FINAL PLAT  
AND FINAL PLANNED UNIT DEVELOPMENT (PUD) TO CONSTRUCT A MULTI-USE  
DEVELOPMENT CONSISTING OF 65 DWELLING UNITS AND 40,000 SQUARE  
FEET OF COMMERCIAL SPACE AT BLOCK 11, NORTH END PHASE II**

City Attorney Light noted the applicant requested the City Council vacate the public hearing for the proposed Final Plat, Planned Unit Development (PUD) and General Development Plan (GDP) amendment for the North End Market development. The applicant intends to amend the proposal to comply with the recently adopted housing policies of the South Boulder Road Small Area Plan. A new public hearing will need to be scheduled before the Planning Commission and City Council at a future date to review the revised proposal.

Mayor Muckle moved to vacate the public hearing on the 3<sup>rd</sup> Amendment to the North End General Development Plan and the North End Market Final Plat and Planned Unit

Development and take no further action on Ordinance No. 1717, Series 2016 or Resolution No. 19, Series 2016 seconded by Council member Loo. All in favor.

## **COAL CREEK STATION**

**ORDINANCE NO. 1719, SERIES 2016 – AN ORDINANCE APPROVING THE VACATION OF CERTAIN STREETS, ALLEYS AND SIDEWALK, ACCESS, AND OTHER EASEMENTS WITHIN THE PLATS OF CALEDONIA PLACE, ROBERT DIGIACOMO ADDITION AND COAL CREEK STATION FILING NO. 2 IN THE CITY OF LOUISVILLE – 2ND Reading – Public Hearing**

**RESOLUTION NO. 24, SERIES 2016 – A RESOLUTION APPROVING A FINAL SUBDIVISION PLAT AND FINAL PLANNED UNIT DEVELOPMENT (PUD) FOR AN APPROXIMATE 11 ACRE PARCEL OF THE CALEDONIA PLACE AND COAL CREEK STATION SUBDIVISIONS INCLUDING 51 RESIDENTIAL UNITS AND 29,472 SQUARE FEET OF COMMERCIAL SPACE**

Mayor Muckle asked City Attorney Light to introduce the ordinance and resolution.

City Attorney Light introduced Ordinance No. 1719, Series 2016 and Resolution No. 24, Series 2016 and noted the public may speak on either item.

Mayor Muckle opened the public hearing and called for a staff presentation.

Planner II Robinson noted the applicant, BVZ Architects, proposes to develop the Coal Creek Station property as a mixed use project. The property is 10.97 acres and was platted as part of the Caledonia Place subdivision in 1890. Parts of the property were replatted over time to allow for commercial development, including the railroad car restaurant, the Louisville Cyclery building, the former 7-11 building, and the Tim's Trains building. The small building housing Precision Pours is on a separate lot and not part of this development, nor is Fordyce or the Car Wash. The remainder of the property is vacant.

The proposed development includes 29,472 square feet of commercial space, replacing 13,440 square feet of existing commercial space for a net increase of 16,032 square feet. The request includes 51 residential units: 34 as duplexes and 17 as townhomes.

The property is located within the Highway 42 Revitalization Area and was rezoned in accordance with Chapter 17.14 – Mixed Use Zone District in the Louisville Municipal Code (LMC) at the time of preliminary plat and PUD approval in 2013. Section 17.28.180 of the LMC requires final PUD applications be submitted within one year of preliminary PUD approval. The preliminary PUD was approved by City Council July 2, 2013 and the final PUD application was received by the City on January 31, 2014. The final PUD application has been under review in the intervening two years. Because the application was received less than one year after preliminary approval, the preliminary PUD is still valid.

The applicant requests a final plat and PUD to allow for the placement of 51 residential units and 29,472 square feet of commercial space. The proposal includes residential density at 6.9 units per acre, below the minimum of 12 units per acre required by zoning. The preliminary PUD included a request for 34,335 square feet of commercial, so the current request includes a reduction of 4,863 square feet of commercial space and no change in the number of residential units.

The proposed streets are intended to serve local traffic and provide alternative routes for a small amount of through-traffic. As such, the streets are narrow and designed to accommodate on-street parking. The street sections have been approved by the Public Works Department. Sidewalks are provided on both sides of the streets, except for the southeast portion of Front Street where there is limited right-of-way. Bicycle traffic will be handled on-street and the low speeds and traffic volumes will provide for a safe environment without the need for dedicated bike lanes or a separate trail.

The applicant proposes realigning the southern east-west portion of Cannon Circle to better serve the development, meet signal spacing requirements to allow for a traffic signal on Highway 42, and to align with the access to the Harney/Lastoka Open Space east of Highway 42. The signal would only be installed if it meets warrant requirements with CDOT. Business access to Fordyce Auto will be provided by access easements across Lot 1, Block 1, and a right-in-right-out access will be maintained at the location of the current intersection of Cannon Circle and Highway 42 to allow for truck access to Fordyce Auto. The owner of Fordyce Auto has agreed to these changes with the condition the turning templates be reviewed to ensure trucks can navigate the entrance.

The alley at the south side of the property, just north of Little Italy, is an existing platted but unimproved City alley. There was a condition of approval on the preliminary PUD that property concerns for the alley be addressed before final PUD. The applicant has acquired the remnant railroad parcels and redesigned the alley to go around the private property on the west side. There was also a condition that maintenance of the alley be determined before final PUD due to the unusual design of the alley, including the dead end on the east side, and the private portion on the west side. Staff recommends a condition requiring the HOA to maintain the alley.

The proposed land uses comply with the proposed zoning and LMC Chapter 17.14, except for the residential density. LMC Section 17.14.060 sets the minimum residential density in the MU-R district at 12 units per acres; the applicant is requesting a density of 6.9 units per acre.

Section 17.14.090(A)(2)(b)(i) of the LMC allows for waivers or modifications to the underlying zoning requirements through the PUD process if “the proposed development represents an improvement in site and building design over that which could be accomplished through strict compliance with otherwise applicable district standards.”

Staff finds the waiver for reduced density justified because the reduced density will provide a better transition between the commercial development and the existing residential neighborhoods to the south. Also, this development is outside the quarter-mile influence area for the proposed FasTracks station where the higher density associated with transit-oriented development is not necessary and will likely not impact ridership.

The proposed development complies with the yard and bulk standards of LMC Chapter 17.14 and the MUDDSG, except as noted below in which the applicant is requesting waivers under LMC Section 17.14.090.

The MU-R zone district requires 40% minimum lot coverage, a maximum front setback of 10 feet, and a requirement that at least 70% of the street-facing property lines contain buildings. The proposed lot coverage for the residential lots varies between 30% and 40%. The front setback for most lots is 12 feet, though some lots have significantly larger front setbacks where the roads start to curve, going to 30 feet. The 70% frontage requirement is met on most lots, but there are a few lots with larger, curved front lot lines where the frontage drops to around 60%. Considering the reduced density, these modifications to the yard and bulk standards are justified to make an attractive and functional development.

Where the southern alley has been realigned the rear setback for the adjacent structures is reduced to seven feet. This complies with the residential protection standards of the MUDDSG, which require at least 15 feet from the rear lot line of the RM properties. The structures would be 27 feet from the rear lot line of the RM properties.

The residential setbacks on the cover sheet of the PUD represent the minimum conditions in the development. Staff recommends a condition that the notation be modified to show the standard condition with exceptions for the minimums. This would include changing the rear setback requirement to 20 feet, with an exception of seven feet allowed for the properties adjacent to the realigned alley. It would also include modifying the side setback to state the standard is five feet, except zero may be allowed for buildings that straddle lot lines.

There are four units in two duplexes proposed for the area zoned RM. In RM, the minimum lot size is 7,000 square feet, with a minimum lot area per dwelling unit of 3,500 square feet. The four lots on which the units will sit, plus the surrounding outlot, total more than 17,000 square feet, giving over 4,250 square feet per unit. However, because each unit is on its own lot, none of the lots meet the 7,000 square foot minimum size requirement, or the 60 foot minimum width requirement. Waivers to the lot size, lot area per unit, and lot width requirements are therefore required.

Because of the small lots and shared walls of the duplexes, there are also waivers required for setbacks and lot coverage.



<b>Setback</b>	<b>Required</b>	<b>Requested</b>
Front	25'	13'
Side	7'	0' (shared wall)
		5' (exterior wall)
Rear	25'	20'
Lot Coverage	35%	50%

These waivers will allow the units in the RM area to match the rest of the proposed development while still providing an appropriate transition from the established Little Italy neighborhood. The overall scale and density will be the same as is allowed by right in the RM district.

In the MU-CC zone district the minimum lot coverage is 30% and the maximum setback is 60 feet from Highway 42 or South Boulder Road and 30 feet from interior streets. The proposed lot coverage for Lot 1, Block 1, on which Building D sits, is 10%. The setback to Highway 42 is 120 feet, while the setbacks to Cannon Circle are 32 feet to the south and 111 feet to the west. The low lot coverage and large setbacks are caused in part by the easement required to provide access to Fordyce Auto, and in part by the circulation requirements of a drive-through restaurant. Given the location, constraints, and surrounding development, staff recommends Council approve these waivers.

The size of the commercial buildings has been reduced between the preliminary and final submittals. As such, buildings A and B no longer meet the minimum lot coverage requirement either, covering 25% and 24% of their lots respectively. Building C meets the minimum lot coverage requirement, covering 31% of the lot, and buildings A, B, and C meet all of the other bulk and dimension standards. The applicant has requested waivers for the lot coverage requirement for buildings A and B.

Section 17.14.060 of the LMC requires a minimum building height of 35 feet and two stories, while allowing a maximum height of 45 feet and three stories in both the CC and MU-R districts. Section 17.12.040 of the LMC allows a maximum height of 35 feet in the RM zone district. The applicant is proposing one story buildings in the CC district with a maximum height of 35 feet. In the MU-R district, the duplexes would have two stories, with a maximum height of 35 feet and the townhomes would have three stories with a maximum height of 45 feet. The RM district would only have duplexes with a maximum height of 35 feet.

The applicant is requesting a waiver to allow one story buildings in the CC district, and buildings shorter than 35 feet in CC and MU-R. Staff recommends approving these modifications under LMC Section 17.14.090 because the lower heights will be more compatible with the density of the development and the adjacent neighborhood. The proposal complies with the height transition standards where abutting the RM zone district.

The applicant proposes an expanded sidewalk along South Boulder Road. This would serve as a connection from the trail proposed in the draft South Boulder Road small area plan from Cottonwood Park to the Main and South Boulder Road intersection to the existing sidewalk/trail along the north side of the Harney/Lastoka open space east of Hwy 42. The portion of the sidewalk in front of Union Jack Liquor will not be expanded as it is not part of this development, but any future redevelopment of that lot will allow the path to be completed. This proposal complies with the condition placed on the preliminary approval requiring provision of the expanded sidewalk.

The proposed development matches the desired urban form for the Revitalization Area. Except for Building D, the commercial structures are fronted towards the street with parking provided behind the building. The residential units are on connected urban streets with alley access. The proposed development will provide an attractive anchor to one of the most important intersections in the City while acting as a compatible neighbor to the adjacent established residential neighborhood. The proposed commercial buildings comply with the design guidelines in the MUDDSG. They include significant glazing, a mix of compatible materials, and vertical and horizontal articulation. Awnings and canopies are provided to help define the building entrances, and except for Building D, all four sides of the buildings are treated equally in design.

Staff has not required the applicant to provide specific elevations for residential buildings in the PUD. Specific designs are only required in PUDs for multi-family residential projects. In addition, the MUDDSG does not include design guidelines for duplexes as they were not originally allowed in the Revitalization Area. The applicant has provided a residential character drawing in the PUD, showing what the residential buildings are anticipated to look like. The proposed designs appear to be compatible with the intent of the design guidelines and the surrounding areas. To ensure compatibility, staff recommends a condition that the applicant add a note on the PUD stating residential buildings will comply with the design standards and guidelines for multi-family residential in section 10 of the MUDDSG to the maximum extent practicable. These standards and guidelines address elements such as materials, glazing, roof forms, and porches.

Signage in the development would be governed by the Commercial Development Design Standards and Guidelines, as required by the MUDDSG. The applicant is proposing halo-lit wall signs for the commercial buildings. The PUD also includes monument signs to identify the project at the major entrances. The design of the proposed monument signs complies with the CDDSG, however staff is concerned about the number. The applicant is proposing two at each of the three major entrances, or six total. The CDDSG does not give a limit on the number of monument signs for projects of this nature, but the City has usually limited monument signs to one per entrance. Staff recommends a condition to reduce the number of monument signs to three.

Waivers summarized:

- Decreased residential density in the MU-R district
- Decreased minimum lot coverage in the MU-R district

- Increased maximum front setback in the MU-R district
- Decreased minimum front lot line coverage in the MU-R district
- Decreased minimum lot size, lot area per unit, and lot width in the RM district
- Decreased minimum setbacks in the RM district
- Increased maximum lot coverage in the RM district
- Decreased minimum lot coverage for Buildings A, B, and D in the CC district
- Increased maximum setbacks for Building D in the CC district
- Increased maximum parking allowance for Building D in the CC district
- Decreased minimum height and story requirements in both MU-R and CC districts

Staff recommends approval of Resolution No. 24, Series 2016, approving the final plat and final PUD with the following conditions:

1. The southernmost alley will be maintained by the HOA.
2. Satisfy the comments in the Louisville Fire Protection District memo dated May 5, 2016 before recordation. (this has been taken care of)
3. Comply with Public Works comments in April 6, 2016 memo before recordation.
4. Change the rear setback requirement to 20 feet, with an exception of seven feet allowed for the properties adjacent to the realigned alley. Modify the side setback to state the standard is five feet, except zero may be allowed for buildings that straddle lot lines.
5. Limit the number of monument signs to three.
6. Add a note to the PUD that the residential buildings will comply with the design standards and guidelines in section 10 of the MUDDSG to the maximum extent practicable.
7. That applicant assure that the Truck Only entrance off of Highway 42 is designed so as to permit adequate access for trucks servicing the existing use at 1655 Cannon Circle.
8. Prior to recording of the plat, the subdivider and City shall enter into an agreement to effect the change in location of the Cannon Circle right-of-way, which shall be in a form acceptable to the City.

## COUNCIL COMMENT

Mayor Pro Tem Lipton asked if Outlot A was going to be a park. Planner Robinson noted it was for drainage and maintained by the HOA. Mayor Pro Tem Lipton asked about the setbacks and was concerned about proximity to the railroad tracks. Planner Robinson noted in that RM area, the buildings will face Front Street and go to the railroad tracks with the detached garages closest to the tracks.

Council member Stolzmann wanted to know how the access to Fordyce, the traffic impact study by applicant and other items noted on the Public Works memo had been addressed. She wondered what drove the timeline.

Planner Robinson noted when applications are received, a timeline is presented and staff tries to stay true to the timeline. One review was completed and with the second review, Public Works was asked if anything would hold up the development and the answer was they were comfortable with moving forward and working with the applicant. The details are worked out at the engineering level not necessarily at the PUD level. The access has been worked out with Fordyce and the maintenance of alley is in the conditions.

Mayor Muckle called for an applicant presentation.

Gary Brothers, BVZ Architects, 3445 Penrose Place, Boulder, CO thanked staff for moving this project forward. The goal of this project has been to extend the fabric of the existing residential area to the south and be an addition to the commercial area to the north. The waivers address the residential to the south to reduce densities and to not push against the street front. The variances allow the development to be a friendlier neighbor to the residential area to the south. Techniques to calm traffic caused concern about fire trucks negotiating and there has been continuing conversation with the fire department. The last email from the fire department expressed their okay of the turning radii now shown on the plans. All the items on the memo from Public Works have been addressed by the applicant. Traffic calming techniques may cause some snow removal issues. An updated traffic impact report has been submitted.

Mayor Muckle called for Council questions.

Council member Stolzmann asked about snow removal. The answer was it would not be any different than any other residential area.

Mayor Muckle remembered in the preliminary, a proposed path through the development cutting between South Boulder Road and Highway 42. It was noted a bike path moving from the north end of the site through the open space area and connecting to the open space area to the west was proposed and is still there. The open space area will be governed by the HOA.

#### **PUBLIC COMMENT**

Debby Fahey, 1118 W. Enclave Circle, Louisville, CO asked about a crossing at Main Street at Griffith for school children. She noticed a vacant area in the NW area of this property and wondered about providing a crossing of South Boulder Road at this location.

John Leary, 1116 LaFarge Avenue, Louisville, CO commended the project's sensitivity to the community. He noted it was laid out before the completion of the small area plan. Requesting a waiver to lower density is not the norm and he urged approval. He noted there would be traffic issues in the area.

Sarah Knight, 1650 Cannon Circle, Louisville, CO stated she and her brother own the Louisville Car Wash. She noted she was in favor of this development but was worried about access to their car wash during construction.

#### COUNCIL COMMENT

Council member Loo noted the preliminary proposal was approved with wholehearted support. She saw no significant changes and supported this final proposal.

Council member Leh found it a good proposal, sensitive to the neighborhood and hoped the matter of access to the car wash during construction could be resolved.

Council member Keany supported the proposal and appreciated the applicant's attention to detail and not building to the maximum allowed capacity. He looked forward to the redevelopment.

Council member Stolzmann felt the design was good and met a number of criteria. She wondered if there were significant changes to the street network whether it would return to Council for approval.

Mayor Muckle asked City Attorney Light if Public Works was not satisfied with the requirements being met, could it be structured so it could be returned to Council.

City Attorney Light noted if Public Works does not agree there is compliance, there would be no recording. Anything that is done, has to fit into the substance of what is approved or is eligible for an administrative amendment, otherwise a PUD amendment would have to go through Planning Commission and Council. The current language gives Public Works the power to determine compliance.

Council member Stolzmann did not want Public Works to feel they had lost out on what was important for the traffic flow.

Mayor Muckle appreciated the sensitivity of this project to the residential area to the south.

Mayor Muckle called for public comment and hearing none, closed the public hearing.

#### MOTION

Mayor Muckle moved to approve Ordinance No. 1719, Series 2016 with the included second reading amendments. Council member Keany seconded. Roll Call Vote. Approved 7-0.

Mayor Muckle moved to approve Resolution No. 24, Series 2016 with an amendment to the date of the Public Works memo date to read April 7, 2016. Council member Loo seconded. All in favor.

Council member Keany left the meeting at 10:14 p.m.

**RESOLUTION NO. 25, SERIES 2016 – A RESOLUTION AMENDING THE 2016 BUDGET BY AMENDING APPROPRIATIONS IN THE GENERAL FUND, OPEN SPACE & PARKS FUND, CONSERVATION TRUST – LOTTERY FUND, CEMETERY FUND, HISTORIC PRESERVATION FUND, CAPITAL PROJECTS FUND, WATER UTILITY FUND, WASTEWATER UTILITY FUND, STORM WATER UTILITY FUND, GOLF COURSE FUND, AND FLEET MANAGEMENT FUND FOR CARRY FORWARD OF APPROPRIATIONS AND ADDITIONAL APPROPRIATIONS WITHIN SUCH FUNDS AND ADJUSTING BUDGETED REVENUE IN THE GENERAL FUND, OPEN SPACE & PARKS FUND, HISTORIC PRESERVATION FUND, CAPITAL PROJECTS FUND, WATER UTILITY FUND, WASTEWATER UTILITY FUND, and STORM WATER UTILITY FUND – Public Hearing**

Mayor Muckle opened the public hearing.

Finance Director Watson outlined the proposed budget amendments.

Reasons for Amendment:

1. To carry-forward unused appropriations from 2015 to 2016 (+\$20,683,070\*)
2. To adjust appropriations for items not anticipated, or not measurable, at the time of original budget adoption (+\$3,789,940)
3. To adjust the revenue budget for items not anticipated, or not measurable, at the time of original budget adoption (+\$3,341,880\*\*)

*\* Includes \$13,956,000 for WWTP Upgrade and Storm Sewer Outfall Improvements projects*

*\*\* Includes \$3,337,000 of grant revenue for projects being carried forward from 2015*

Presentation Format:

- Resolution contains the total amendment by fund
- Council Communication contains department narratives for each line item, or related groups of line items
- Council Communication narratives are divided into two sections – expenditure amendments and revenue amendments
- Appendices A, B, and C to the Resolution display the amendment by line item detail and subtotaled by fund
  - Appendix A = carry-forward adjustments
  - Appendix B = other expenditure adjustments
  - Appendix C = revenue adjustments

Fiscal Impact:

- Council Communication contains schedule of projected revenue, expenditures, and changes to fund balances for all funds assuming the proposed budget amendment is approved
- All funds, except the Capital Projects Fund and the Golf Course Fund, are projected to retain adequate levels of reserves
- The projected reserves in the Capital Projects Fund and the Golf Course Fund will be addressed during the 2017-2021 C-I-P process
- Finance Committee reviewed the proposed amendment on April 18 and May 16

City Manager Fleming noted the majority of the dollar amount in the carryover is contained in four projects; the largest being the wastewater treatment plant upgrade, South Street underpass, the downtown parking and enterprise resource planning system.

Council member Stolzmann thanked Finance Director Watson for the layout of the proposal. She noted the Finance Committee recommended approval.

Council member Loo asked about the recreation campus restroom price increase. Parks and Recreation Director Stevens noted the increased cost is primarily bringing water and sewer to the site. Mayor Pro Tem Lipton remembered the restroom installation was to increase site possibilities and thus the possibility of increased revenue.

#### **PUBLIC COMMENT**

John Leary, 1116 LaFarge Avenue, Louisville, CO suggested considering incinerating toilets.

Mayor Muckle closed the public hearing.

#### **MOTION**

Council member Maloney moved to approve Resolution No. 25, Series 2016. Council member Loo seconded. Roll Call Vote: 6-0 Approved. Council member Keany absent.

#### **DISCUSSION/DIRECTION – CITY POSITION ON POSSIBLE STATEWIDE NOVEMBER BALLOT MEASURES**

Mayor Muckle noted there is a possibility Colorado voters will be asked to support several ballot measures this November. Council member Stolzmann as a representative to the Denver Regional Council of Governments (DRCOG) and Mayor Muckle as participant in various regional mayoral groups are looking for direction from the Council on two of the possible ballot measures with regard to their impact on the City of Louisville. One, proposed by the Colorado Contractor's Association and others, would increase the State sales tax and allocate those revenues to the Highway Users'

Tax Fund (HUTF). A summary of the 10 ballot titles submitted on this topic was in the packet along with the Metro Mayor's analysis of the HUTF breakdown. A draft letter from the NW Denver Region Communities was included opposing the ballot title language/measures as proposed. Louisville is being asked to sign the letter. The Board of the Denver Regional Council of Governments is being asked to take a position on the ballot measures, of which Louisville is a member.

Mayor Muckle felt imposing this much of a sales tax increase and not having the ability to locally allocate those dollars was an issue.

Council member Loo asked where the money would come from to fix roads if voters do not support a gas tax. Mayor Muckle felt transportation issues are polling better and is more of a public priority which increases the options. He noted these proposals have the money flowing out of the metro area to rural areas. There should be some regional balance of where the monies are spent.

Council member Leh had some substantive and process issues. He wanted to table this for now as there was not enough information to oppose at this time. He wanted a discussion about when Council or individual Council members sign on to support or not support issues. Criteria to think about for weighing in on measures; regional or sub-regional support, direct fiscal impact (unfunded mandates), indirect fiscal impact, regulatory interest, constituent support, to make a point, straw poll to affect policy choice, recognized consensus.

Council member Maloney agreed generally with Council member Leh and supported tabling this. He wanted the issue better defined.

Mayor Pro Tem Lipton felt this needed a legislative move to shape a proposal with support from the various stakeholders.

Council member Stolzmann looked forward to a discussion on criteria for weighing in on measures. She applauded the contractors for moving forward with the issue, but did not feel she had enough information to take a position.

Mayor Muckle felt it was compelling that Louisville's residents would be harmed by this proposal. It is nearly certain the money will flow out of our community.

Mayor Pro Tem Lipton was confused by 10 ballot titles to say no to without knowing what the solutions are. Mayor Muckle noted they all increase the sales tax and distribute the money through HUTF.

## **PUBLIC COMMENT**

John Leary, 1116 LaFarge Avenue, Louisville, CO felt there was not enough information. Louisville citizens are citizens of the State, too, and concerned about State



issues. It comes back to the people to decide, Council should not recommend to citizens without complete information.

Mayor Muckle noted it is a question of how much money you want to send out of your area. With a large sales tax increase, the local area needs to have some say. He recognized Council wanted no position taken at the mayor's organization or DRCOG.

Mayor Pro Tem Lipton wondered if there could be a nuanced recommendation saying Council and staff raise concerns related to the proposed sales tax increase and desire a legislative solution and proposal to take care of the ongoing transportation issues.

Council member Leh asked exactly what the vote would be on. Council member Stolzmann noted the DRCOG board would have the same discussion Council members were having.

Council member Leh wondered if it was possible to express concerns about the impact of the sales tax and local control or input.

Mayor Muckle noted he could meet with staff to draft a statement expressing the concerns to influence regional groups.

Council member Loo wanted to adopt a position to get the legislature to make a decision to spend money on the roads.

Council member Stolzmann said the proposed motion for the DRCOG board is, move to recommend a board position on ballot initiatives or defer to a later date. She felt she did not have enough information to make a recommendation.

Council member Maloney agreed this should be resolved at the State legislature.

Mayor Muckle noted if the choice for Council member Stolzmann at DRCOG was to say no or defer, the direction was to defer. Council member Stolzmann noted working with staff to draft a position was probably not necessary until more specifics are known.

Mayor Muckle stated a second ballot measure being referred to as Colorado Priorities is considering asking voters pursuant to TABOR to allow the State to retain and spend all revenues collected for the next ten years. The "debrucing" measure has a sunset after 10 years.

Mayor Pro Tem Lipton asked if the "debrucing" is in place for 10 years and the base has to be set, is it the old base or new base. If it is the old base, a crisis will be created ten years out.

Council member Stolzmann noted she could ask that question at DRCOG. She did not feel any opposition to this proposed measure at DRCOG.

Mayor Pro Tem Lipton and Mayor Muckle wondered why this was not a permanent “debrucing” proposal. Council member Stolzmann thought it was in response to polling data indicating it needed a sunset date.

Council member Maloney understood the sunset, but having been in State government and having dealt with the budget getting cut, this would have to be specific to be based on the new budget. As it is written, it would go back to ten year’s previous budget. Mayor Muckle agreed this should be answered.

**ORDINANCE NO. 1720, SERIES 2016 – AN ORDINANCE AMENDING SECTION 4.03.060 OF THE LOUISVILLE MUNICIPAL CODE REGARDING LIABILITY FOR VIOLATIONS OF OPEN SPACE REGULATIONS – 1<sup>st</sup> Reading – Set Public Hearing 06/14/16**

Mayor Muckle requested a City Attorney introduction.

City Attorney Light introduced Ordinance No. 1720, Series 2016. Staff recommended City Council set a public hearing on June 14, 2016.

MOTION: Mayor Muckle moved to approve Ordinance No. 1720, Series 2016 on first reading, ordered it published and a public hearing be set for June 14, 2016, seconded by Council member Leh. All were in favor. Keany absent.

**CITY ATTORNEY’S REPORT**

City Attorney Light noted if he had found the correct ballot title concerning the “debrucing”; it says the measure if approved would authorize the State to annually retain and spend revenues for any subsequent fiscal year in an amount equal to the highest amount collected in any single year in the 10 year period. It would allow the State to use the highest year in the 10 years as the base for the eleventh year.

**COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE AGENDA ITEMS**

Council member Stolzmann noted the Finance Committee reported the cover letter sent to the non-profits for the grant applications added a sentence about the focus of the program is to provide basic human services that we as a local government cannot provide.

Council member Stolzmann stated as a liaison to the Library Board, there is a new technology librarian helping folks with the Maker Space. There is a 3-D printer anyone can use, along with a cutting machine and software.

**ADJOURN**

MOTION: Mayor Muckle moved for adjournment, seconded by Loo. All were in favor.  
The meeting was adjourned at 11:23 p.m.

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Robert P. Muckle, Mayor

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Carol Hanson, Acting City Clerk